

APPROVED EIS EXEMPTION LIST FOR
DIVISION OF LAND MANAGEMENT
DEPARTMENT OF LAND AND NATURAL RESOURCES

April 28, 1986

Exemption Class #1: Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing.

The exempt items below are not applicable in lands classified Conservation.

1. Routine maintenance of state lands to remove weeds, brushes, grass and other unwanted overgrowths.
2. Routine and emergency removal of boulders, rocks, fallen trees and other debris necessary to maintain state lands in a safe condition.
3. Trimming and removal of overhanging tree branches or roots encroaching into abutting private properties.
4. Repair, maintenance and renovation of existing structures on leased state lands.
5. Routine and emergency repair and restoration of existing structures and facilities on state lands involving negligible or no expansion or change of use beyond that previously existing.
6. Maintenance of house and lot repurchased by State.
7. Burning of rubbish and debris to maintain state lands, with required permit.
8. Maintenance of state-owned right-of-way other than public rights-of-way.
9. Maintenance and repair of state-owned bridges and flumes.
10. Maintenance of waterways (canal, auwai, ditches) and drainage.
11. Cleaning river and stream mouths of debris and sand.

Exemption Class #2: Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced.

The exempt items below are not applicable in lands classified Conservation.

1. Replacement/reconstruction of facilities on leased state lands destroyed or rendered unsafe or unusable by fire, earthquake, tsunami or other natural disaster.
2. Replacement/reconstruction of single family dwelling acquired or built by State.
3. Replacement of State-owned bridges and flumes.

Exemption Class #3: Construction and location of single, new small facilities or structures and the alteration and modification of same and installation of new, small, equipment and facilities and the alteration and modification of same including but not limited to: (a) single family residences not in conjunction with the building of two (2) or more such units; (b) multi-unit structures designed for not more than four (4) dwelling units if not in conjunction with the building of two (2) or more such structures; (c) stores, offices and restaurants designed for total occupant load of twenty (20) persons or less, if not in conjunction with the building of two (2) or more such structures; (d) water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; and (e) accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences.

The exempt items below are not applicable in lands classified Conservation.

1. Construction of new structures on leased state lands and fee simple lands sold on installment payment basis:

- a. Single family residence not in conjunction with the building of two (2) or more such units,
- b. Multi-unit structure designed for not more than four (4) dwelling units if not in conjunction with the building of two (2) or more such structure.
- c. Stores, offices and restaurants designed for total occupant load of twenty (20) persons or less, if not in conjunction with the building of two (2) or more such structures.
- d. Water, sewage, electrical, gas, telephone and other essential public utility services extensions to serve such structures or facilities.
- e. Accessory or appurtenant structures including water collection, distribution and storage systems, garages, carports, patios, swimming pools, driveways and swales.

Exemption Class #4: Minor alteration in the conditions of land, water, or vegetation.

The exempt items below are not applicable in land classified Conservation.

- 1. Minor grading and grubbing of lands in preparation for construction of structure exempt under Exempt Class No. 3.
- 2. Chemical control of vegetation using Roundup, Rodeo, and Dowpon applied in strict conformance with label instructions and not where otherwise prohibited.
- 3. One time, short term (14 days or less) use of state lands, i.e., Huli-Huli chicken, carnivals, state fair.
- 4. Minor cut, fill and grading of state property of less than 50 cubic yards of rock and/or soil where the verticle height of cut or fill does not exceed three feet.
- 5. Filling of unusable cesspools with required permit.

Exemption Class #5: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.

The exempt items below are not applicable in lands classified Conservation.

1. Permission to enter state lands for the purpose of basic data collection, research, experimental management and resources evaluation activities such as archaeological survey, topographic survey, test borings for soil test, ground cover survey inspection of property for appraisal and development feasibility study purposes.
2. Appraisal of real property for:
 - a. Land exchange proposals
 - b. Determination of acquisition/sales price
 - c. Rental establishment
 - d. Establishment of royalties

Exemption Class #9: Demolition of structures, except those structures located on any historic site as designated in the National Register or Hawaii Register as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or Chapter 6, Hawaii Revised Statutes.

The exempt items below are not applicable in lands classified Conservation.

1. Demolition and removal of unusable structures from state lands controlled by the State.
2. Removal of abandoned private property from state lands.
3. Removal of unauthorized improvements from state property.

Exemption Class #10: Zoning variances except: use, density, height, parking requirements and shoreline set-back variances.

The exempt items below are not applicable in lands classified Conservation.

Application for zoning variance for use of state lands disposed to private parties or to governmental agencies.

NOTE: As stipulated by EIS Regulation 1:33(b), all exemptions under this list are inapplicable when the cumulative impact of planned successive actions of the same type, in the same place, over time, is significant, or when an action that is normally insignificant in its impact on the environment may be significant in a particularly sensitive environment.